

Application No. 10/050,097  
Amendment dated June 8, 2006  
After Final Office Action of March 8, 2006

Docket No.: 1259-0220P

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawing includes changes to FIG. 2.

Attachment:        Replacement sheet  
                         Annotated sheet showing changes

### **REMARKS**

Claims 1-9 are pending. By this response, claim 1 is amended and FIG. 2 is corrected. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

### **Drawings**

The Office Action objects to element 25 of FIG. 2 due to the misspelling of the word “synthesizer” in the Figure. In response, Applicants have corrected FIG. 2 with the correct spelling of the term “synthesizer.” Accordingly, withdrawal of the objection is respectfully requested.

### **Interview**

Applicants appreciate the courtesy extended to Applicants’ representative during the interview conducted on April 11, 2006. During the interview, a difference between the overlay and inlay processes as defined in the current claims of the present invention with respect to the teachings of Haneda were discussed. The Examiner and his Supervisor were not entirely convinced that the claim language accurately reflected the overlay mode as described in embodiments of the present invention. It was suggested to amend the independent claim 1 to clarify this particular feature. In response to the discussion in the interview, Applicants have amended independent claim 1 to clarify the overlay mode which further distinguishes it from the cited reference, Haneda.

### **Prior Art Rejection**

The Office Action rejects claims 1-9 under 35 U.S.C. § 102(e) as being anticipated by Haneda et al. (US 2004/0223168). This rejection is respectfully traversed.

For reasons of brevity, Applicants remarks filed in the Response dated December 20, 2005 are hereby incorporated by reference.

Claim 1 now recites, *inter alia*, “wherein in said overlay mode, an outer perimeter of said at least an additional image is equal to the subject size in shape such that the outer perimeter of the subject image and outer perimeter of the additional image are aligned where a reference point of the at least an additional image overlaps an origin of said subject image to align the additional image and subject image.”

In embodiments of the present invention, an additional image overlays on a subject image such that the outer perimeter of the additional image and the subject image are the same. A reference point on the additional image is used to align the additional image with an origin point of the subject image in order to accurately overlay the additional image on the outer perimeter of the subject image.

In Haneda, contrary to the present invention as recited in independent claim 1, the subject image is overlayed on a template image in which the subject image conforms to the shape of the template image. This process is actually part of what is known as an inlaying process in which the subject image is cropped by a masked image so that the subject image will fit within the area of the template image and then a composite image is made from the subject image and template image. This is illustrated in Fig. 12 and described in paragraphs 132-133 of Haneda.

The Office Action alleges that this process in Fig. 12 teaches Applicants’ overlaying process. Applicants respectfully disagree. Applicants respectfully submit that the outer perimeter of the additional image is not equal to the subject image as claimed by Applicants. In fact, in Haneda, the subject image is cropped to fit into the template. Further, the additional image is not shaped such that the outer perimeter matches the subject image. Further, a reference point on the additional image is not used to align with an origin of the subject image. In Haneda, the masked image is used to modify the subject image and align the subject image with the template image.

Therefore, Applicants respectfully submit that Haneda fails to teach the above-recited feature of independent claim 1 as required. Therefore, Haneda fails to teach each and every

feature of independent claim 1 with regard to 35 U.S.C. § 102. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

### CONCLUSION

For at least these reasons, it is respectfully submitted that claims 1-9 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner has any questions concerning this application, the Examiner is requested to contact Chad J. Billings, Reg. No. 48,917 at the telephone number of (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: June 8, 2006

Respectfully submitted,

By 

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Attachments



FIG. 2

